Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Message Text

CONFIDENTIAL

PAGE 01 STATE 059097

63
ORIGIN EUR-25

INFO OCT-01 ADP-00 L-03 SS-14 NSC-10 CIAE-00 INR-10

NSAE-00 RSC-01 JUSE-00 EB-11 COME-00 TRSE-00 INRE-00

SEC-03 EURE-00 /078 R

DRAFTED BY EUR/ CE: FGTRINKA: DAM
03/30/73 EXT 22577
APPROVED BY EUR/ CE: JSSUTTERLIN
L/ EB - HRGAITHER
JUSTICE - JKEENEY
TREASURY - JCLAWSON
SEC - IPEARCE
---------- 068105
P 302100 Z MAR 73
FM SECSTATE WASHDC
TO AMEMBASSY BERN PRIORITY

C O N F I D E N T I A L STATE 059097

E. O. 11652: XGDS 1
TAGS: EFIN, PFOR, US, SZ
SUBJECT: JUDICIAL ASSISTANCE TREATY: U. S. REVIEW OF STATUS OF TREATY
REF: BERN' S 1276 AND 1279 AND 1314

1. US WORKING GROUP CAREFULLY REVIEWED MARCH 29 ALL RECENT TELS AND MEMCONS ON SWISS COMMENTS, BOTH GOVERNMENTAL AND NON- GOVERNMENTAL, ON DRAFT JUDICIAL ASSISTANCE TREATY, PARTICULARLY THOSE ITEMS PRESENTED AS CONCERNS OR OBJECTIONS BY SWISS GROUPS CONSULTED BY SCHULTZ COMMISSION, AS NOTED BERN 1276.

2. THESE OBJECTIONS, AS EMBASSY KNOWS, ARE SAME ONES THAT WORKING GROUPS DISCUSSED OVER PERIOD OF FOUR YEARS IN AN ATTEMPT TO RESOLVE EITHER IN LANGUAGE OF TREATY OR BY EXPLANATION RE INTENT AND PROBABLE APPLICABILITY OF CERTAIN ARTICLES SENSITIVE TO SWISS. US WORKING GROUP IS OF VIEW THAT ITS EXPLANATIONS WERE UNDERSTOOD BY SWISS WORKING

CONFIDENTIAL

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

GROUP AND THAT THEY THEREFORE WOULD BE ABLE TO HANDLE POSSIBLE OBJECTIONS RAISED BY SWISS GROUPS OUTSIDE SWISS GOVERNMENT. SINCE OBJECTIONS CITED BERN 1276 ARE CAST IN GENERAL TERMS AND APPEAR TO US AT LEAST TO BE LARGELY OF EMOTIONAL NATURE, WE ARE UNABLE TO COMMENT ON THEM OR EVALUATE THEM IN ABSENCE OF SPECIFICS.

3. WE WOULD LIKE TO REITERATE THAT TREATY, AS NOW DRAFTED, IS ACCEPTABLE TO USG AND HAS CONCURRENCE OF INTERESTED U. S. AGENCIES. TEXT OF TREATY HAS NOW BEEN DISCUSSED WITH STAFF OF APPROPRIATE CONGRESSIONAL COMMITTEES AND AMERICAN BAR ASSOCIATION. ACCORDINGLY, WE ARE GREATLY LIMITED IN FLEXIBILITY TO DEAL WITH CONCERNS OF SWISS NON-GOVERNMENTAL BODIES. WE SHARE, IF WE READ CORRECTLY, SWISS GOVERNMENT' S DESIRE TO COMPLETE TREATY AND INTENTION NOT TO RAISE MAJOR SUBSTANTIVE ISSUES AT FINAL ROUND OF TALKS.

4. WE THEREFORE FEEL IT INAPPROPRIATE TO COMMENT ON OBJECTIONS CITED BERN 1276. AFTER RECEIPT OF SWISS GOVERNMENT COMMENTS, TO BE GIVEN EMBASSY MAY 8 - 9, WE WILL PREPARE US RESPONSES FOR PRESENTATION AT TECHNICAL-LEVEL TALKS BERN MAY 14 - 25.

5. BERN 1314 WHICH ARRIVED AFTER MARCH 29 MEETING WORKING GROUP WILL BE SUBJECT OF SEPTEL FOLLOWING NEXT WORKING GROUP MEETING WHICH BEING SCHEDULED ASAP. RUSH

*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 30 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE059097
Document Source: CORE
Document Unique ID: 00
Drafter: FGTRINKA: DAM
Enclosure: n/a
Executive Order: X1
Errors: n/a
Film Number: n/a
From: SECSTATE WASHDC
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730343/aaaainsk.tel
Line Count: 96
Locator: TEXT ON-LINE
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 73 BERN' S 1276 AND 1279 AND 1314
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 27 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27-Sep-2001 by rowellE0>; APPROVED <25 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 980114; srp 980114
Subject: JUDICIAL ASSISTANCE TREATY: U. S. REVIEW OF STATUS OF TREATY
TAGS: EFIN, PFOR, SZ, US
To: BERN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005

Declassified/Released US Department of State EO Systematic Review 30 JUN 2005